

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 895**

**AN ORDINANCE APPROVING THE FINAL PLAT AND
AMENDED FINAL DEVELOPMENT PLAN OF WYNDHAM HILL
FILING 1 REPLAT A.**

WHEREAS, Frederick Development Co., Jessica Clark, 2500 Arapahoe Ave. Suite 220, Boulder, CO 80302, has submitted a Final Plat and Amended Final Development Plan of those certain lands within the Town of Frederick, Colorado, to be known as Wyndham Hill Filing 1 Replat A, under the authority provided by *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*; and

WHEREAS, the Board of Trustees of the Town of Frederick has found the Final Plat and Amended Final Development Plan to be complete and that good and sufficient reason has been shown to be present to justify the platting of the property; and

WHEREAS, the Board of Trustees has determined by Resolution No. 07R~~35~~³⁶, duly adopted and approved on the 12th day of April, 2007, that the proposed Final Plat and Amended Final Development Plan for Wyndham Hill Filing 1 Replat A is compatible with the adjacent land uses, that it conforms with the requirements and standards established in *Article 4, Subdivision Regulations*, and the applicable provision pertaining to waivers of the *Frederick Land Use Code*, and that it preserves the health, safety, welfare and interests of the citizens of the Town of Frederick, Colorado. The property is more particularly described below:

Wyndham Hill Filing 1, Block 14, Lots 1 through 14; Filing 1, Block 15, Lots 1 through 9; and Filing 1 Block 24 Lots 1 through 18, Town of Frederick, State of Colorado, County of Weld.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Frederick, Colorado, that:

Section 1. That the property owned by Frederick Development Co., and identified as Wyndham Hill Filing 1 Replat A and described above, is now granted Final Plat and Final Development Plan approval in accordance with the provisions of *Chapter 17, Subdivisions*, of the *Frederick Municipal Code*.

Section 2. The property is platted in accordance with the final plat and the final development plan and the dedications thereon and other documentation pertaining to the plat of said property presented by the Developer and approved by the Frederick Planning Commission and the Frederick Board of Trustees, and the same are incorporated by reference thereto in this Ordinance. The plat shall not affect the Developer's commitments made in the Annexation Agreement and the Memorandum of Agreement for Public Improvements, except as specifically amended herein.



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Section 3. Effective Date. This ordinance shall become effective thirty (30) days after publication.

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED
PUBLISHED THIS 12th DAY OF APRIL 2007.**

ATTEST:

By 
Nanette S. Fornof, Town Clerk

TOWN OF FREDERICK

By 
Eric E. Doering, Mayor



**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 07R035**

**A RESOLUTION REGARDING THE REVIEW OF THE FINAL PLAT
AND AMENDED FINAL DEVELOPMENT PLAN OF WYNDHAM HILL
FILING 1 REPLAT A AND ADOPTING CERTAIN FINDINGS OF FACT
AND CONCLUSIONS FAVORABLE TO THE FINAL PLAT AND FINAL
DEVELOPMENT PLAN.**

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on Thursday, April 12th, 2007 reviewed the application of Frederick Development Co., Jessica Clark, 2500 Arapahoe Ave. Suite 220, Boulder, CO 80302, for the Final Plat and Amended Final Development Plan of Wyndham Hill Filing 1 Replat A, of the following real property; to wit:

Wyndham Hill Filing 1, Block 14, Lots 1 through 14; Filing 1, Block 15, Lots 1 through 9; and Filing 1 Block 24 Lots 1 through 18, Town of Frederick, State of Colorado, County of Weld.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

- a. The applicant's application and supporting documents are in substantial compliance with *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*.
- b. The Final Plat and Amended Final Development Plan application was submitted within twelve months of the approval of the Preliminary Plat.
- c. The Final Plat and Amended Final Development Plan are in general conformance with the Preliminary Plat and Preliminary Development Plan including those modifications or conditions specified by the Board of Trustees.
- d. The Final Plat and Amended Final Development Plan are compatible with adjacent land uses and conform with the requirements and standards established in *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*.
- e. A satisfactory Memorandum of Agreement for Public Improvements (MOAPI) has been prepared, or will be completed prior to the recording of the Final Plat.
- f. The Final Plat and Amended Final Development Plan as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Frederick, Colorado.

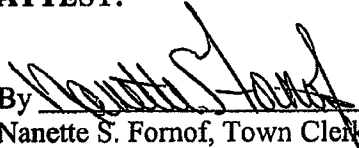
Section 2. Conclusions and Order Approving the Final Plat and Amended Final

Development Plan of Wyndham Hill Filing 1 Replat A.

- a. The proposed Wyndham Hill Filing 1 Replat A complies with the applicable sections of *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*.
- b. A detailed Memorandum of Agreement for Public Improvements (MOAPI) shall be or has been amended or prepared and signed before the platting process is completed.
- c. That the proposed Final Plat and Amended Final Development Plan of Wyndham Hill Filing 1 Replat A should be granted approval.

INTRODUCED, READ, PASSED, AND SIGNED THIS 12th DAY OF APRIL 2007.

ATTEST:

By 
Nanette S. Fornof, Town Clerk

TOWN OF FREDERICK

By 
Eric E. Doering, Mayor

